

REMARKS/ARGUMENTS

Claims 1-24 are pending in the application, as claims 23 and 24 have been added. Support for the new claims can be found on page 2, lines 8-24 to page 3, line 1; page 11, lines 7-10; and page 10, line 11 to page 11, line 18. No new matter has been added. In the Office Action, claims 1-4 and 12-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0013456 to Bates, et al. (Bates) in view of U.S. Patent Application Publication No. 2004/0097224 to Lim (Lim). In addition, claims 11 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Lim and further in view of U.S. Patent Application Publication No. 2002/01233309 to Collier, et al. (Collier). Claims 6, 7, 9, 10, 17, 18, 20 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Lim and further in view of well-known prior art. Finally, claims 5, 8, 16 and 19 were objected to as being dependent upon a rejected base claim.

Independent claim 1 recites the step of transmitting from the first mobile communications unit to the second mobile communications unit a condition of at least one operational parameter of the first mobile communications unit once the communications connection has been established and during the established communications connection. Independent claim 12 and new independent claim 23 recite similar subject matter.

In contrast, neither Bates nor Lim discuss such a feature. The Examiner agrees that Bates does not show this concept (see page 3 of Final Office Action of March 22, 2007). Applicants respectfully submit that Lim does not describe this feature, either.

In particular, Lim notes that state information from a first terminal is not transmitted to the second terminal until *after* the connection is terminated (see paragraph 0024, ". . . a base station for . . . transmitting state information of one mobile communication terminal to the other mobile communication terminal *when* a call connection is *terminated*" (emphasis added). In fact, in every instance when Lim refers to transmitting state information from one mobile unit to another mobile unit, it always occurs after the connection is terminated (see paragraphs 0025, 0040, 0053, 0056-0058, and 0060).

Applicants also contend that Lim teaches away from transmitting state information during the established communication. Specifically, Lim seeks to avoid unnecessary recalls (see paragraphs 0022 and 0023) to preserve battery life and network resources. To do so, the base station in Lim is responsible for monitoring the call connection and for updating the state information received from the mobile units (see paragraph 0025). Because the base station in Lim is responsible for monitoring the call connection, it only makes sense to have the base station send the state information after the call is terminated; otherwise, there is no need for the base station to monitor the connection. In other words, attempting to argue that it would be obvious to send state information in Lim during a call would obviate one of that reference's basic features - having the base station monitor call connections - as a user would already be aware of a potential problem in view of the received state information.

In view of the above, Applicants submit that the above claims are now patentable over the prior art. Reconsideration and withdrawal of the rejection of the

claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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By: /Larry G. Brown/

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